

Vermont Superior Court

Bennington Criminal Division

Docket No. 861-7-19 Bncr

State vs. Baker, Lawrence J. I861-7-19 Bncr

Prosecutor: Alexander BurkeDefendant: Lawrence J. Baker II

Motions pdg:

DOB:

05/22/1999

Bail set:

POB:

Incarcerated: released

Atty:

Frederick Bragdon

Conditions:

Aliases:

Case Status:

Address:

Active - Pretrial

591 Sweet RoadPownal VT 05261

Next Hearing: Calendar Call, Monday, September 23, 2019, 01:30 PM

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Dspt Docket No. Ct. Statute F/M/O

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1 861-7-19 Bncr 1 13 2605(b)(1) mis
VOYEURISM-PLACE-1ST OFFENSE

07/25/19 Information and Affidavit filed on 1 dispute.
Dispute 1 for Docket No. 861-7-19 Bncr Count #1, VOYEURISM-PLACE-1ST OFFENSE, Misdemeanor, 13 V.S.A. 2605(b)(1). Alleged offense date: 06/23/19. Arrest/citation date: 06/23/19 Manchester PD.
Arraignment set for 07/29/19 at 08:15 AM.
Probable Cause found by Judge William D. Cohen on dispute 1.

07/29/19 Public Defender requested.
Attorney assigned: Frederick Bragdon.
Request granted for public defender. 50.00 to be paid; Payment Order No. 51839.
Arraignment held by William D. Cohen. (CDVIDEO).
Copy of Affidavit and Information given to defendant. 24 hour rule waived.
Reading of Information waived. Defendant pleads not guilty on dispute 1. Pre-trial discovery order issued.
Conditions set by William D. Cohen on dispute 1. Bail Amount: 0.00 set. Condition[s] 1-2,14-15,17 imposed; No.14: not to have contact with Aidan Shaw-Pigeon; No.15: not to harass Aidan Shaw-Pigeon; No.17: subject to arrest without warrant if does not abide by Condition[s] 14,15.
Calendar Call set for 09/23/19 at 01:30 PM.

DEFENDANT: Lawrence James Baker II
DOB: 05/22/1999 AGE: 20
ADDRESS:
591 Sweet Rd.
Pownal, VT 05261

ARRAIGNMENT DATE: July 29, 2019
SA CASE ID: 19-13842
ASSIGNED (D)SA: Alexander Burke Esq. ERN:
POLICE DEPT.: Manchester Police Department
INVESTIGATING OFFICER: Sergeant James Blanchard
VICTIM ADVOCATE: Tammy Loveland
INCIDENT NO.: 19MC002085

SUPERIOR COURT
BENNINGTON UNIT
STATE OF VERMONT
v.
LAWRENCE JAMES BAKER II

STATE OF VERMONT

VERMONT SUPERIOR COURT
BENNINGTON UNIT

JUL 24 2019
CRIMINAL DIVISION

DOCKET NO. 861-7-19 BnCr FILED

INFORMATION BY STATE'S ATTORNEY

By the authority of the State of Vermont, the State's Attorney for Bennington County, upon the oath of office charges:

COUNT 1 OF 1

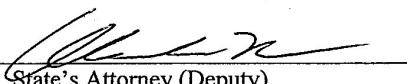
CHARGE CODE: 13V2605B1#1 | CODE ID: 447 | OFFENSE CLASS: M
CHARGE NAME: VOYEURISM-PLACE-FIRST OFFENSE

Lawrence James Baker II, in the County of Bennington, at Manchester on or about June 23, 2019, attempted to intentionally record in any format the intimate areas of another person without that persons knowledge and consent while the person being recorded was in a place where he would have a reasonable expectation of privacy in violation of 13 V.S.A. § 2605(b)(1).

Penalty: Imprisoned not more than one years or fined not more than \$500 or both

Against the peace and dignity of the State.

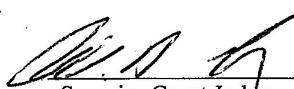
DATED: July 24, 2019


State's Attorney (Deputy)

This information has been presented to me and I have found probable cause.

DATED:

7/26/19


Superior Court Judge

AFFIDAVIT OF PROBABLE CAUSE

Manchester Police Department

VERMONT SUPERIOR COURT -CRIMINAL DIVISION

STATE OF VERMONT
BENNINGTON COUNTY, §

NOW COMES Sergeant James Blanchard, being duly sworn and on oath, deposes and says he has probable cause to believe that **Lawrence J. Baker Jr. (DOB: 5/22/1999)** has committed the offense of **Voyeurism**, a violation of **Title 13 V.S.A. § 2605 (b)(1)** based upon the following facts:

It must be noted that this officer has been certified by the Vermont Criminal Justice Training as a level III officer and is currently employed by the Manchester Police Department.

On June 23, 2019 at approximately 1:46 pm I was notified by dispatch to respond to the Taconic Hotel, which is located at 3835 Main Street in the village of Manchester, county of Bennington, Vermont. I was advised to meet with Taconic Hotel employee Seth Dunne in reference to a cellular phone that was found in a bathroom by another employee. I was further advised that the phone was recording when it was found.

Detective Crowe and I responded to the Taconic Hotel and met with Seth Dunne. Dunne stated that another employee, Aidan Shaw-Pigeon, had found a cellular phone in an employee bathroom and turned it over to him. Dunne further advised that the cellular phone was recording when Shaw-Pigeon found it. Dunne then turned the cellular phone over to Detective Crowe and I. It should be noted that the cellular phone was an I-Phone, and the back of the phone was cracked/broken. There were no identifying characteristics to indicate who the owner was. I asked Dunne if he would show us where the bathroom was located. Dunne led us through the kitchen and down to the basement level of the hotel. It should be noted that this area is accessible by Taconic Hotel employees only; it is not accessible by guests or the general public. Dunne then led us to the restroom, which was located in the middle of a long hallway. Dunne advised us that Shaw-Pigeon had been in the bathroom and located the cellular phone in the corner of the bathroom behind a trash bin.

I then asked Dunne if he could call Shaw-Pigeon downstairs so we could speak with him about his observations. Dunne then located Shaw-Pigeon and brought him to the basement hallway. Shaw-Pigeon stated that he was using the bathroom and noticed a cellular phone on the floor in the corner of the bathroom, leaning up against the wall. He further stated that the phone was tucked behind the trash container, making it difficult to see. When Shaw-Pigeon realized that the phone had recorded him going to the bathroom he panicked and deleted the video. After speaking with Dunne and Shaw-Pigeon, the cellular phone was taken as evidence and transported back the Manchester Police Department.

Once at the Manchester Police Department, Detective Crowe was able to unlock the I-phone in an attempt to identify who the owner was. The phone did not appear to be someone's primary cellular phone, as it did not have any contacts, text messages, etc. Upon checking in the "photo" section, Detective Crowe and I observed eight (8) videos in the "recently deleted" section. All of the videos appear to have been taken in the bathroom where the phone was recovered at the Taconic Hotel, and all

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were aimed at the toilet. The most recently deleted video was just short of an hour long. It begins by showing the phone being set up in the corner behind the trash container. While the phone is being deployed, a male enters the camera frame and appears to be checking the function and angle of the phone as it was pointed at the toilet. Detective Crowe then took a photograph of this image to use to help identify the unknown male. It should be noted that later in this video the recording captures Aidan Shaw-Pigeon using the bathroom.

The videos on the phone are from two different days; there are four videos from Tuesday June 18, 2019, and four videos from Sunday June 23, 2019, the day the phone was discovered.

I then spoke with Seth Dunne on the phone. Dunne advised me that after Detective Crowe and I left the hotel, an employee named "JR" Baker had made a comment to another employee that the police were just there and had taken his cell phone.

Detective Crowe and I then returned to the Taconic Hotel and spoke with shift supervisor Brett Acree. Detective Crowe showed Acree the photo of the male seen in the recording, and Acree identified the male as Lawrence Baker Jr, who is an employee at the Taconic Hotel who goes by the name "JR". Acree advised that Baker is a dishwasher at the hotel. I then asked if Baker was still working, and was advised that he was. I then asked Acree if he could find Baker and see if Baker would come to the banquet room, where we could talk in private.

A short time later a male entered the banquet room; the male was the same person seen on the video setting up the cellular phone in the bathroom, and was identified as Lawrence J. Baker Jr. Baker advised that he had been looking for his cell phone, and was not sure where he left it. He stated that he saw that the police had been at the hotel and heard that the police had located a phone that was recording in the bathroom, then thought to himself, "I'm missing a phone". Baker stated that the phone is broken and that he only uses it to listen to music. When asked if he knew how the phone got into the bathroom, Baker stated, "...I may have left it in like, the, if you go into the bathroom there's a toilet paper holder, I may have set it down when I went to go wipe myself". Baker further advised that if he had indeed left it in the bathroom, it would have been right next to the toilet. When I advised Baker where the phone was actually located, he stated that he did not know how it would have gotten there. I then asked Baker if anyone else has access to this cell phone; he advised that no one else has access to it, and that he is the only person who uses it. I then asked Baker when he last had the phone in his possession; he stated that he had the phone between 12:00-1:00, then went to use the bathroom before returning to the dish pit and realizing that he lost the phone. It should be noted that some of the videos from this date are time-stamped and indicate that they were recorded in the mid-morning hours, prior to when Baker last had the phone. I then advised Baker that the phone was found propped up in the bathroom corner facing the toilet and recording. I further advised Baker that we were able to access the phone and pull up the videos, so we knew that it was him that placed the phone there. Baker responded, "Oh, alright". I then informed Baker that we had found several videos, and that there were videos from the previous Tuesday, as well as videos from that day. I further informed Baker that the videos show that he was squatting down in the corner and placing the phone there, then checking the angle. When I offered to show Baker a picture of him placing the camera in the corner, he replied, "no". When I asked again, he replied, "No,

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I'm good". When asked what his intent was when he placed the phone there, Baker replied, "I guess, I don't know, nothing". I then showed Baker a picture of him deploying the phone in the corner of the bathroom, and asked him if that was him; He advised that it was him. When I asked Baker how many times he had set the phone up like that in the past, he advised that this was the first time. I then advised Baker that there were multiple videos, so it was not the first time. He then stated that the videos from the previous Tuesday were the first time that he had done it. Baker further stated that he was not trying to capture anyone in particular on the videos.

Based upon the above information, this affiant believes there to be probable cause to charge Lawrence J. Baker Jr. with the offense of Voyeurism. Baker committed the offense of Voyeurism when he intentionally filmed/recorded the intimate areas of another person without that person's knowledge and consent while that person was in a place where they would have a reasonable expectation of privacy. Baker was issued a citation to appear in Vermont Superior Court, Bennington Criminal Division, on July 29, 2019 at 8:15 am. This affiant respectfully requests the court to order Lawrence J. Baker Jr. to report to the Manchester Police Department for the purpose of obtaining fingerprints and photographs.

Subscribed and Sworn to me on
28th Day of June 2019

James F. Beattie
(Notary Public)

James Blanchard
(Affiant)

6/28/19
(Date)